

**MINUTES OF THE
TOWN COUNCIL
MEETING OF
GARDEN CITY, UTAH**

The Garden City Town Council held their regularly scheduled meeting on Thursday, July 9, 2015 at the Garden City Lakeview Building located at 69 N. Paradise Parkway, Building C. Mayor Spuhler opened the meeting at 5:00 p.m.

Town Council Members present:

John Spuhler, Mayor
Darin Pugmire
Chuck Stocking
Bruce Warner
Bess Huefner

Others Present:

Kathy Hislop
Riley Argyle
Bob Peterson
Anita Weston
Nadine Sprouse
Bobbie Coray
Mel Maynes
Mike Wahlberg
Joan Akre
Bryce Huefner
Joey Stocking
Mark Hislop

ROLL CALL

Mayor Spuhler asked for a roll call of Council Members present: Mayor Spuhler, Council Member Huefner, Council Member Pugmire, Council Member Stocking, and Council Member Warner.

APPROVAL OF MINUTES

Minutes of the Town Council Meeting held on June 11, 2015

Council Member Huefner made the motion to approve the minutes of the regular Town Council meeting held on June 11, 2015. Council Member Stocking seconded the motion. A roll call vote was taken: Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Mayor Spuhler, for. Motion carried.

BUSINESS LICENSE DISCUSSION/APPROVAL

Lighthouse Resort, LLC., Sunrise Resort at Harbor Village. Mark Smoot

This business was sold to new owners who are requesting a business license.

Council Member Pugmire made the motion to approve the business license for Lighthouse Resort, LLC., Sunrise Resort at Harbor Village. Council Member Huefner seconded the motion. A roll call vote was taken: Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Mayor Spuhler, for. Motion carried.

Council Member Warner attended the meeting at this point.

PUBLIC COMMENTS, 2 minute time limit

Ms. Bobby Corey explained that she would have liked to advertise for the fireworks during the holiday weekends, but didn't know who was doing the fireworks. The Council stated that it was a great firework show on the 4th of July. Mr. Wahlberg explained that fireworks are legal until midnight on the 4th. If the fireworks are illegal then he can deal with them and take care of those issues.

Mr. Wahlberg said that they are going to do the annual Fire Department BBQ on the 24th, and they will have fireworks that night. They will also allow the community to shoot fireworks that night. It will be held at the 50 s parking lot and behind the church. Mayor Spuhler said that we need to encourage people to pick up their own firework mess.

MISCELLANEOUS ITEMS

Request for donation for the Garden City Quilters

The Council Members discussed this request and determined that it really isn't a donation, it will be a charge to the arts as it will go towards the quilts that are made by the quilters.

Council Member Warner moved to approve the funding for the Garden City Quilters as an Art expense. Council Member Huefner seconded the motion. A roll call vote was taken: Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Mayor Spuhler, for. Motion carried.

DISCUSSION/APPROVAL OF THE CERTIFICATION OF DELINQUENCY OF ASSESSMENTS AND CHARGES FOR THE BUTTERCUP SID

Mayor Spuhler explained the SID.

Council Member Huefner made the motion to accept the certification of delinquency of assessments and charges for the Buttercup SID. Council Member Warner seconded the motion. A roll call vote was taken: Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

ORDINANCE DISCUSSION/APPROVAL

Ordinance #15-22, an ordinance updating the exemptions of height limitations

The Council discussed the ordinance and what would fit in Garden City. They discussed all aspects of the ordinance and decided to send it back to the Planning Commission to reconsider the residential and commercial zones.

Ordinance #15-23, an ordinance combining residential estate and agricultural zones

The Council Members reviewed the ordinance and made changes that they agreed were necessary to the proposed ordinance. The Council Members discussed the permitted and conditional uses. They discussed churches and schools as a permitted or conditional use.

The Council agreed that sexually oriented businesses should be in a commercial zone so it was taken out of this new zone.

Exceptions were changed to non-permitted uses.

Council Member Warner moved to accept ordinance #15-23 with the changes that were just outlined. Council Member Pugmire seconded the motion. A roll call vote was taken: Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

Ordinance #15-24, an ordinance stating that short term rentals cannot advertise on property.

Mayor Spuhler said that he met with Mr. Lance Bourne Planning Commission Chair, and he is concerned that short term rentals will start trying to advertise their rentals with signs. Council Member Stocking said that he would like to allow the signs in the commercial zone. He feels that it should be the same as a real estate signs. He feels that most rentals in the residential areas would like to advertise their homes.

Council Member Warner said that he wouldn't like to see the residential areas start looking like a hotel/motel zone with the advertising.

Council Member Stocking said that he would like to allow the short term rentals to put up a sign on the property to give the name of the property or short term rental as long as it is limited to a size. Council Member Warner said that we need to keep the residential areas looking like the rest of the residences. He said that if they start putting signs on their property it would make them look like the business/commercial community.

Council Member Warner proposed to vote on a motion to see if there is a consensus or a majority or not, with the change on the first sentence to say except in commercial zones. Council Member Pugmire seconded the motion. A roll call vote was taken: Council Member Huefner, nay; Council Member Pugmire, for; Council Member Stocking, nay; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

PUBLIC HEARING

Mayor Spuhler opened the public hearing at 6:00 p.m.

ROLL CALL

Mayor Spuhler asked for a roll call of Council Members present: Mayor Spuhler, Council Member Huefner, Council Member Pugmire, Council Member Stocking, and Council Member Warner.

ORDINANCE DISCUSSION

Ordinance #15-26, an ordinance updating the parking and loading requirements in the Town of Garden City

The Council Members reviewed the ordinance and discussed changes that they wanted made to the ordinance. Mr. Bob Peterson explained that we took 7 cities and used their parking ordinance, to come up with something that would work for Garden City, based on the character uses for each business.

Council Member Warner explained that he would like to see the downtown look more like store fronts and contiguous businesses with parking in the back. That would maximize the nature of the downtown. He said that not all businesses may have enough room for parking, so he suggested a parking impact fee that a business can buy into a city parking pool that would be used to create offsite parking.

Mayor Spuhler opened the meeting up for public comments. There were no comments from the audience.

Ordinance #15-27, an ordinance establishing life safety requirements for sensors/detectors and fire sprinkler systems.

Mayor Spuhler explained how this ordinance came to be due to the large fire on the Brian Burr building. There was a lot of discussion regarding the Fire Department and large structures and what they can handle.

During the last meeting alarm systems and sprinkler systems was discussed at length. Mayor Spuhler explained that he has done a lot of research on the short term rental business. He said that we must look at the public safety issues associated with short term rentals. The Council discussed sprinkler systems, alarm systems, carbon monoxide detectors, smoke detectors.

Mayor Spuhler said that he doesn't want to make it too difficult on the short term rental businesses because they bring a lot of revenue to the town. He said that we have started a program to monitor short term rentals and collect data to know what the issues are.

Mayor Spuhler asked what size of a building would be reasonable to require a sprinkler system on new construction. Mayor Spuhler said that he is concerned about the liability for the city. He is concerned with the people that rent the structures.

There was extensive discussion regarding liability issues, a monitoring system, a sprinkler system, additional insurance for the short term rental and for the city.

ADJOURN THE PUBLIC HEARING

Council Member Pugmire made the motion to close the public hearing at 8:00 p.m. Council Member Huefner seconded the motion. A roll call vote was taken: Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

ORDINANCE DISCUSSION/APPROVAL

Ordinance #15-26, an ordinance updating the parking and loading requirements in the Town of Garden City

Council Member Pugmire made the motion to approve ordinance #15-26, striking out #H on page 2. Council Member Huefner seconded the motion. A roll call vote was taken: Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

Ordinance #15-27, an ordinance establishing life safety requirements for sensors/detectors and fire sprinkler systems.

Because of the discussion during the public hearing the Council agreed that 6500 square feet on new construction needs a sprinkler system.

Mayor Spuhler explained that we will do an audit of our insurance coverage to see if we need more coverage or not.

The Council discussed a policy to encourage businesses to install a monitoring system.

The Council Members discussed the ordinance and made minor changes as was discussed during the public hearing.

Council Member Warner moved to approve ordinance #15-27 with the changes that we have been discussing. Council Member Pugmire seconded the motion. A roll call vote was taken: Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

RESOLUTION DISCUSSION/APPROVAL

Resolution #R15-05, a resolution to update the administrative code infraction fine schedule to include a fine for violations to quiet hours and noise

Mr. Peterson explained that he had a few complaints from people regarding construction going on way late in the night. That is why he changed the quiet hour fee schedule. The \$150 ticket doesn't matter to the construction companies; they will just pay the ticket so we need to make it more punitive on the construction sites.

Council Member Stocking made the motion to approve Resolution #R15-05, a resolution to update the administrative code infraction fine schedule to include a fine for violations to quiet hours and noise. Council Member Huefner seconded the motion. A roll call vote was taken: Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

COUNCIL MEMBER REPORTS

Mr. Peterson explained that the library made over \$5,000 on the rummage sale. That was largely due to Worldmark and their donations.

Council Member Stocking said that the pool has been functioning well. There was an issue one night while he was at the pool and one of the lifeguards was on their phone the whole time. Mayor Spuhler explained that there is a policy on cell phones that when a lifeguard is on duty their phones are not powered up.

Council Member Warner explained that there is a business in town that has not paid their water bill and is almost \$1,000 delinquent. They wanted the water turned on and have the past due water bill waived. The water contract must stay with the owner, not put in the renter or tenant's name.

Council Member Huefner said that she ordered the playground equipment, for Heritage Park. It will be here the last week of July.

Council Member Huefner said that permit with sovereign lands hasn't been updated yet. We are ok with Army Corp. Mayor Spuhler said that we need to amend the permit so we can leave things on the beach over night, such as picnic tables, etc.

Mayor Spuhler explained that there will be Legislators in town on Saturday. They are coming for a tour of Garden City and to review the proposed marina.

Mr. Peterson said that he is working with property owners on removing their old dilapidated signs.

PAYMENT VOUCHERS

The Council Members reviewed the invoices and payment vouchers.

Council Member Pugmire made the motion to pay the vouchers. Council Member Stocking seconded the motion. A roll call vote was taken: Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

ADJOURNMENT

There being no further business to discuss Council Member Huefner made the motion to adjourn the meeting at 9:30 p.m. Council Member Stocking seconded the motion. A roll call vote was taken: Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

APPROVED:

John Spuhler, Mayor

Attest:

Kathy Hislop, Town Clerk